

Taking IP to the next level...



Haseltine Lake has a long-established reputation for obtaining patent, trade mark and registered design protection for commercial clients all over the world. From that core activity Haseltine Lake has developed an extended range of innovative IP products and services.

Introducing an extended range of IP services from

HASELTINE LAKE  **LLP**
EUROPEAN PATENT & TRADE MARK ATTORNEYS



www.haseltinlake.com



Core IP activities: patents

The patent teams at Haseltine Lake are grouped into 3 broad sectors:

- Electronics and Communications
- Chemistry and Life Sciences
- Energy, Environmental and Engineering Technologies

We have around 30 patent attorneys backed up by a team of trainee attorneys and qualified patent administrators supporting an incredible array of innovation and technological progress for clients all over the world.

Our core patent services include:

- **Advice on patentability** - whether an idea meets the technical requirements for patenting and, if not, what else can be done to protect it.
- **Searching** - investigating the novelty of an invention to determine whether related patents or know-how already exist at home or abroad.
- **Prosecution of patents** - drafting and filing domestic and international patent applications and answering objections raised by examiners in the international registries to secure the grant of commercially effective patents.
- **Watching and pre-grant challenges** - monitoring competitors' patent applications and providing evidence of invalidity to the official examiners to block their applications.
- **Post-grant challenges** - technical advice and assistance on how to challenge a competitor's granted patents and how to defend challenges to your own granted patents.
- **Patent portfolio strategies** - review of portfolios and advice on international protection options and opportunities aligned to markets, competitor activity, commercial IP objectives and budgets.

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Core IP activities: Trade Marks and Brands

The Trade Marks and Brands team at Haseltine Lake comprises:

- five trade mark attorneys
- a trade mark litigator
- an IP & Media solicitor
- a team of graduate trade mark administrators and paralegals

Our clients are in many different sectors, including food and drink, medical engineering, luxury goods, computer software, media and retail. We have built strong relationships with corporate counsel in household name companies and owner managers in small and vibrant UK companies, whose requirements and expectations for professional services may differ substantially.

We file in excess of 1000 trade mark applications each year. Our team of trade mark administrators is responsible for progressing all of the procedural aspects of the cases that we handle. Supported by specialist IP records software, they enable us to offer streamlined and cost-effective processes.

The core trade mark services carried out by our attorneys include:

- **Searching** - assessing prior rights and advising on freedom to use new brands. We do not just report problems but identify, explain and quantify risks.
- **Advice on protecting brands** - assessing registrability, devising appropriate strategies for protection.
- **Registration of trade marks and designs** - advising on the scope of applications.
- **Prosecution of trade marks** - arguing objections at examiner level and on appeal.
- **Oppositions** - prosecuting and defending oppositions at the UK and Community IP Offices, including consultation on case strategy, preparing evidence, and taking oral hearings.
- **Brand leverage strategy** - advice on best practice for maintaining brand integrity, tactical use of oppositions, consultation on trade mark infringement and passing off, and domain name proceedings.

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Technology mapping and competitor analysis

There is a wealth of competitive advantage available to those who know how to leverage the opportunities presented by international patent databases.

Using specialist search software Haseltine Lake's trained analysts provide:

- **Sector landscapes** - illustrating the range of patenting activity in a particular technological field.
- **Value chain strategies** - identifying areas where strategic patenting can block the economic activity of competitors and developing an understanding of technical fields and jurisdictions where it can be commercially critical to own patents.
- **Citation data** - this may provide an early warning of a competitor's patent that presents an infringement risk. After identification of patent cases in which a key patent has been cited, our analysis will turn the data into actionable intelligence.
- **Greenfield markers** - indicating low patent density in particular technological areas to create focus for research and development activity.
- **Competitor watch** - providing regular reports on the international patenting or trade mark activity of named competitors.
- **International sector alert** - evaluation of patent cases in key research and development countries, e.g. China, South Korea and Japan, in technology sectors of particular interest. Such information can be crucial for informing research and patenting strategies.

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Due diligence and support for corporate acquisitions

In acquisition or merger situations, intellectual property assets are often a key element in determining the commercial potential of a target business. They therefore impact on value and need to be thoroughly investigated as part of the due diligence process.

Haseltine Lake has considerable experience of helping both vendors and purchasers to evaluate IP assets in corporate transactions and to demonstrate their strengths or identify their weaknesses.

The skills and experience of our patent attorneys in science and engineering enable us to advise clients in all technical fields. This can include analysis of patent portfolios and checks on the validity, novelty and inventive step of any patents of particular interest. In relation to trade marks and brands, our trade mark attorneys have experience in providing analysis of global trade mark portfolios.

For Vendors

- Confirm clear title to IP assets.
- Evidence that key innovations and brands are secured.
- Demonstrate wide scope of protection for deal-critical IP.
- Indicate protection framework for know-how and confidentiality.

For Purchasers

- Investigate and report on title to IP assets internationally.
- Ensure that key IP is adequately protected in all relevant jurisdictions.
- Assess the strength and scope of key IP rights to determine vulnerability to challenge.
- Advise on infringement risk in relation to third party rights.

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IP licences, commercial contracts, know-how and confidentiality

Haseltine Lake has a specialist cross-disciplinary team for all IP-related commercial contracts, negotiations and licensing transactions. We will help avoid the pitfalls associated with IP transactions including distribution arrangements, transactions involving an overseas element and IP ownership issues.

The services that we offer in this area include advising on, negotiating and drafting:

- IP licences including trade marks, patents, designs, copyright and the provision of know-how. In respect of patents, we offer access to experts in all technical fields.
- Technology transfer and exchange agreements.
- IP and domain name assignments.
- Confidentiality agreements.
- Agreements for the disclosure and application of know-how and knowledge sharing.

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Brand utilisation, packaging and labelling

Packaging and labelling are key means of identifying and selecting products and are essential to maximising the potential customer base of a brand. However, regulations are constantly changing and failure to comply with the legal requirements can have adverse commercial consequences.

Haseltine Lake advise on:

- **Packaging and labelling** - guidance through the array of legislation in this area from health and safety legislation to advertising and marketing regulations. We advise owners of well-known brands and products as to what should be put on packaging and labels.
- **Product differentiation** - differentiating your product from your competitors' products. Advice in relation to third party rights whether trade marks, registered designs or passing off rights.
- **Brand structures** - when and how to align primary and secondary brands in relation to new product lines and ranges.
- **Registered designs** - their interplay with trade marks, and what type of protection is appropriate to safeguard the identity of a product.
- **Correct trade mark usage** - maintaining brand distinctiveness and avoiding the dangers of a trade mark becoming generic.

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Advertising clearance, promotion campaigns and competitions

In the complex and frequently changing compliance arena of advertising and marketing, Haseltine Lake can advise on the legal ramifications involved with launching a new product, advertising an existing product and promotional campaigns.

We advise on:

- **Promotion and competition terms** - appropriate terms and conditions for competitions or sales promotions and support in respect of any aspect of prize promotions.
- **Branded content** - protecting IP and avoiding infringement.
- **Content clearance** - the legal and commercial risks of using advertising materials, helping to strike a balance between compliance with advertising laws and an effective piece of marketing material.
- **Marketing services** - entering into, renewing or terminating any marketing contract with particular expertise in the media and entertainment sector.
- **Data protection** - the implications of promotional campaigns.

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Websites: terms and conditions, content, domain name issues

Websites are a powerful communication tool that can maximise a brand's potential if used successfully. Haseltine Lake can assist from the conception of a website, through the provision of legal content to supporting the branding and content issues.

We advise on:

- **Terms and conditions** - covering the use of a website and sales through a website.
- **Privacy policies** - complying with Data Protection Act obligations.
- **Copyright notices** - putting third parties on notice of the ownership of web content.
- **Ownership of web material** - ownership issues where a third party was commissioned to design a website or to provide content.
- **Domain name issues** - advice on all aspects of domain names including clearance and disputes.
- **Content issues** - clearing website content for any legal and compliance issues.
- **Branding advice** - straightforward commercially-focussed advice in relation to branding issues in web design and best use of trade marks.

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and some things you may not know about Haseltine Lake

European IP attorneys of choice for 3 of the top 10 US corporations.*

European trade mark attorneys for south west based Oscar award winning film and television animation company.

European IP attorneys for Japan's largest IT corporation.

European IP attorneys for international technology award winning UK electronics company.

Supporting SMEs throughout the UK, working with UK Trade and Investment, UK Science Park Association and a number of university incubators.

Permanent presence in China, and strong links with the IP and business communities.

Attorneys in Munich and The Hague: outstanding success rate in oral proceedings at the European Patent Office (EPO) and also the UKIPO.

Multilingual capability: German, French, Dutch, Italian, Spanish, Welsh, Mandarin, Cantonese.

*Fortune 500 ranking

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